

**REMARKS**

Claims 1, 2, 4 and 5 are pending in the present application. By this Amendment, claim 1 has been amended. No new matter has been added. It is respectfully submitted that this Amendment is fully responsive to the Office Action dated January 11, 2005.

**As to the Merits:**

As to the merits of this case, the Examiner maintains the following rejection:

claims 1-5 stand rejected under 35 USC 102(e) as being anticipated by Endo et al. (U.S. Patent No. 6,763,182).

This rejection is respectfully traversed.

Claim 1, as amended, now calls for *said digital camera further comprising: a file number assigner for assigning file numbers capable of being overlapped between the folders to the image files; and a third pointer for holding a file number of an image file to be reproduced, wherein the image file to be reproduced is specified by said second pointer and said third pointer.*

That is, as discussed in the previous response filed April 8, 2005, it is possible in the present invention to assign successive file numbers to the image files managed by each of the folders, and therefore, the image files are easily or simply managed.

In contrast, Endo et al. disclose to record a moving picture file in a moving picture directory and record a still picture file in a still picture directory. However, file numbers are successive in a recording order without regard to a category of the file. Thereupon, taking notice of the moving picture files recorded in the moving picture directory, no succession of the file numbers is secured. Similarly, taking notice of the still picture files recorded in the still picture directory, no succession of the file numbers is secured.

That is, the file numbers are never overlapped between the moving picture directory and the still picture directory. Furthermore, Endo et al. fail to disclose or remotely suggest a constitution of the present invention in which successive file numbers are assigned to the image files within each of the folders. Accordingly, it is respectfully submitted that the present claimed invention is not anticipated by Endo et al..

In view of the aforementioned amendments and accompanying remarks, Applicant submits that the claims, as herein amended, are in condition for allowance. Applicant requests such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney to arrange for an interview to expedite the disposition of this case.

Response under 37 C.F.R. §1.114

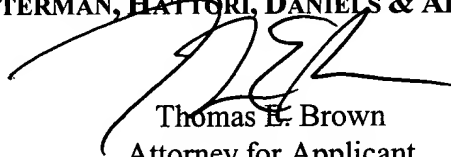
Serial No. 09/871,248

Attorney Docket No. 010721

If this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**

A handwritten signature in black ink, appearing to read 'TEB', is written over the printed name of Thomas E. Brown.

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